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PTO/SB/01 (12-97)

Approved for use through 9/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration Submitted OR Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	
First Named Inventor	Cory Bear
COMPLETE IF KNOWN	
Application Number	/
Filing Date	
Group Art Unit	
Examiner Name	

As a below named Inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Cory Bear 14150 NE 20th St #315 Bellevue WA 98007 citizen USA

Liam Scanlan 13720 SE 58th Pl Bellevue WA 98006 citizen Ireland

the specification of which EXTENSIBLE METHOD FOR OBTAINING AN HISTORICAL RECORD OF DATA
 is attached hereto BACKUP ACTIVITY (AND ERRORS) AND CONVERTING SAME INTO A CANONICAL FORMAT

OR

was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	YES	NO
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
<input type="text"/>	<input type="text"/>	<input type="checkbox"/>

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

Additional U.S. or PCT International application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named Inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Customer Number → Place Customer Number Bar Code Label here
 OR
 Registered practitioner(s) name/registration number listed below

Name	Registration Number	Name	Registration Number

Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: Customer Number OR Correspondence address below

Name	Cory Bear					
Address	14150 NE 20th St #260					
Address						
City	Bellevue	State	WA	ZIP	98007	
Country	WA	Telephone	(888) 283 - 8489		Fax	(520) 962 4558

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

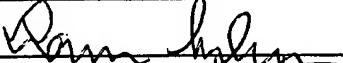
Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle if any)			Family Name or Surname				
Cory			Bear				
Inventor's Signature	<i>Cory Bear</i>					Date	9/08/00
Residence: City	Bellevue	State	WA	Country	USA	Citizenship	USA
Post Office Address	14150 NE 20th St #260						
Post Office Address							
City	Bellevue	State	WA	ZIP	98007	Country	USA

Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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DECLARATION		ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>1</u> of <u>1</u>
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Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])		Family Name or Surname					
Liam		Scanlan					
Inventor's Signature					Date	9/08/00	
Residence: City	Bellevue	State	WA	Country	USA	Citizenship	Ireland
Post Office Address	13720 SE 58th Pl						
Post Office Address							
City	Bellevue	State	WA	ZIP	98006	Country	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])		Family Name or Surname					
Inventor's Signature					Date		
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])		Family Name or Surname					
Inventor's Signature					Date		
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

NOVEMBER 05, 2001

PTAS



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GRAY CARY ET AL
TIMOTHY W. LOHSE
1755 EMBARCADERO ROAD
PALO ALTO, CA 94303

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NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/30/2001

REEL/FRAME: 012127/0664
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
SCANLAN, LIAM

DOC DATE: 08/21/2001

ASSIGNOR:
BEAR, CORY

DOC DATE: 08/21/2001

ASSIGNEE:
BOCADA, INC.
3055 112TH AVENUE NE #202
BELLEVUE, WASHINGTON 98004

SERIAL NUMBER: 09665267
PATENT NUMBER:

FILING DATE: 09/19/2000
ISSUE DATE:

STEVEN POST, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

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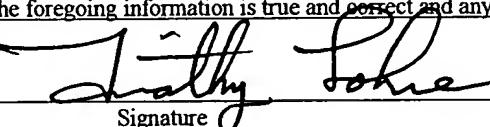
GRAY CARY
WARE & FREIDENRICH

FORM PTO-1595
U.S. DEPARTMENT OF COMMERCE
1-31-92

09-06-2001
101834631

63001

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please		1 original documents or copy thereof.		
<p>1. Name of conveying party(ies): Liam Scanlan and Cory Bear</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>3. Nature of Conveyance: [X] Assignment <input type="checkbox"/> Merger [] Security Agreement <input type="checkbox"/> Change of Name</p> <p>Execution Date: August 21, 2001</p> <p>2. Name and address of receiving party(ies): Name: Bocada, Inc. Address: 3055 112th Avenue NE #202 Bellevue, WA 98004</p> <p>Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>				
<p>4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is:</p> <table border="0"> <tr> <td>A. Patent Application No.(s) 09/665,267</td> <td>B. Patent No.(s)</td> </tr> </table> <p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>			A. Patent Application No.(s) 09/665,267	B. Patent No.(s)
A. Patent Application No.(s) 09/665,267	B. Patent No.(s)			
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: Timothy W. Lohse Internal Address: Gray Cary Ware & Freidenrich LLP 1755 Embarcadero Road Palo Alto, CA 94303 (650) 320-7400</p> <p>6. Total number of applications and patents involved: <input type="checkbox"/> 1</p>				
<p>7. Total fee (37 CFR 3.41) \$ 40.00 [X] Enclosed</p> <p>[] Authorized to be charged to deposit account</p>				
<p>8. Deposit account number: <u>07-1896</u> Please debit any underpayment or credit any overpayment to the above deposit account. Our Order No. 2103175-991100</p>				
DO NOT USE THIS SPACE				
<p>9. Statement and signature. <u>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</u></p> <p>Timothy W. Lohse (Reg. No. 35,255) Name of Person Signing</p> <p> Signature</p> <p>August 28, 2001 Date</p> <p>Total number of pages comprising cover sheet: <u>4</u></p>				
<p>OMB No. 0651-0011 (exp. 4/94)</p>				

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09/05/2001 TDI01 00000180 09665267

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Gray Cary\EM\7086132.1
2103175-991100

ASSIGNMENT

WHEREAS, Liam Scanlan and Cory Bear made certain inventions or discoveries (or both) set forth in an Application for Letters Patent of the United States of America entitled METHOD FOR EXTRACTING AND STORING HISTORICAL RECORDS OF DATA BACKUP ACTIVITY FROM A PLURALITY OF BACKUP DEVICES.

X issued as U.S Patent No. _____
filed as U. S. Serial No. 09/665,267 on September 19, 2001
filed herewith

WHEREAS, Bocada, Inc., whose address is Bocada, Inc., 3055 112th Ave NE #202, Bellevue, WA 98004 and who, together with its successors and assigns is hereinafter called "Assignee", is desirous of acquiring the entire right, title and interest together with the benefits and privileges hereinafter recited:

NOW, THEREFORE, for valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, effective as of the date this document is executed, hereby, without reservation;

1. Assign, transfer and convey to Assignee the entire right, title and interest together with the benefits and privileges in and to said inventions and discoveries, said Application for Letters Patent or similar forms of protection of the United States of America, and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, and convention applications based in whole or in part upon said inventions or discoveries, or upon said application, and any and all Letters Patent, reissues and extensions of Letters Patent or similar forms of protection granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications and said Letters Patent;

2. Authorize Assignee to file patent applications in any or all countries or groups of countries on any or all of said inventions and discoveries in our name or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or any other relevant convention or treaty or otherwise;

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title and interest therein, or otherwise as Assignee may direct;

4. Warrant that we have not knowingly conveyed to others any rights in said inventions, discoveries, applications or patents or any license to use the same or to make, use or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance:

5. Bind our heirs, legal representatives and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonable serving to assure that said inventions and discoveries, said patent applications and said Letters Patent shall be held and enjoyed by Assignee as fully and entirely

as the same could have been held and enjoyed by us, our heirs, legal representatives and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples and other physical exhibits in our control or in the control of our heirs, legal representatives or assigns which may be useful for establishing any facts of our conceptions, disclosures, and reduction to practice of said inventions or discoveries.

Date 8/21/01


Liam Scanlan

STATE OF WASHINGTON)
) ss.
COUNTY OF King)

On 8-21-01 before me, April Rogers,
Notary Public, personally appeared Liam Scanlan,

personally known to me

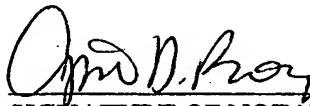
X proved to me on the basis of satisfactory evidence

to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal

(SEAL)




SIGNATURE OF NOTARY PUBLIC

Date 8/21/01

Cory Bear

STATE OF WASHINGTON)
COUNTY OF King) ss.
)

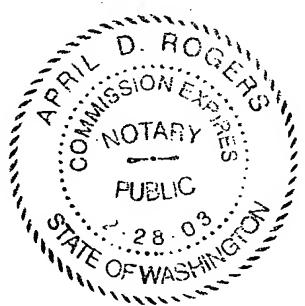
On 8-21-01 before me, April Rogers,
Notary Public, personally appeared Cory Bear,

X personally known to me
proved to me on the basis of satisfactory evidence

to be the persons whose names are subscribed to the within instrument and acknowledged to me
that they executed the same in their authorized capacities, and that by their signatures on the
instrument the persons, or the entity upon behalf of which the persons acted, executed the
instrument.

WITNESS my hand and official seal

(S E A L)



April D. Rogers
SIGNATURE OF NOTARY PUBLIC